

# REPORT

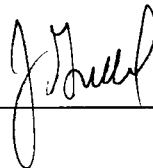
**DATE:** February 2, 2006

**TO:** Regional Council

**FROM:** Naresh Amatya, Lead Regional Planner, 213-236-1885, [amatya@scag.ca.gov](mailto:amatya@scag.ca.gov)  
Philip Law, Acting Senior Regional Planner, 213-236-1841, [law@scag.ca.gov](mailto:law@scag.ca.gov)

**SUBJECT:** Final Amendments to the 2004 Regional Transportation Plan (RTP) and 2004 Regional Transportation Improvement Program (RTIP)

**EXECUTIVE DIRECTOR'S APPROVAL:**



## RECOMMENDED ACTION:

Adopt Resolution #06-471-3 to amend the 2004 Regional Transportation Plan (RTP) and authorize staff to forward the Amendment to the state and federal agencies for their review and approval.

Adopt Resolution #06-471-4 to amend the 2004 Regional Transportation Improvement Program (RTIP) and authorize staff to forward the Amendment to the state and federal agencies for their review and approval.

## SUMMARY:

The TCC released the Draft Amendments for public review and comment on December 1, 2005. The public comment period closed on January 6, 2006. A public hearing was held at SCAG on January 5, 2006. Additionally, an RTAC meeting was scheduled for January 18, 2006 to discuss the Amendment and fulfill the AB 1246 interagency consultation process.

SCAG received two written comments on the Draft Amendments and they are summarized below.

Name, Organization, Address	Comments	SCAG Response
Michael Brady  California Department of Transportation DOTP-ORIP Air Quality/Conformity Coordinator  <a href="mailto:mike_brady@dot.ca.gov">mike_brady@dot.ca.gov</a>	The "improve Orange Line Metrolink service" item should be described in a little more detail. What's the delivery timeframe and has BNSF/Metrolink been consulted? Does Metrolink and/or BNSF have the capacity to deliver increased service in that timeframe, and what was assumed in terms of increased service in the conformity analysis?	The Metrolink portion of the TCM substitution entails a 50% improvement in headways for both peak and off-peak service on the IEOC line between San Bernardino and San Juan Capistrano, and on the 91 line between Riverside and Union Station. The project description on page 2 of the Amendment has been updated to clarify this. All of the CenterLine substitution projects are assumed to be in place by 2010. OCTA is working closely with Metrolink to implement the TCM substitution (see Attachment E).

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Name, Organization, Address	Comments	SCAG Response
Dennis Wade  Air Pollution Specialist California Air Resources Board Planning and Technical Support  dwade@arb.ca.gov	The ratios to estimate the additional benefit of directing 20% of the vehicles to test only are: ROG 0.996, NOx 0.997. These are annual estimates for calendar year 2002 for the South Coast Air Basin.	SCAG has updated its calculation of NOx for I/M credit using the following: $1 - 0.997 = 0.003$ , based upon the information provided by the Air Resources Board.  The updated numbers for year 2002 are reflected on page 15 of the Amendment. The revisions do not change either the conclusions of the analysis or the conformity determination.

## BACKGROUND:

The Orange County Transportation Authority (OCTA) has requested that SCAG amend the 2004 RTP and 2004 RTIP to do the following:

- Replace the planned CenterLine light rail and Yorba Linda Metrolink Station projects with a combination of bus rapid transit, commuter rail, local shuttle, and carpool operation improvement projects, and
- Revise the scope of the SR-241/Foothill South toll road project.

The CenterLine and Yorba Linda amendments are requested to fulfill the TCM substitution process. Additionally, the CenterLine action is requested so that OCTA can redirect funds currently programmed for the CenterLine towards the replacement projects before such funds are lost due to the state's timely use provisions. The Foothill-South amendment is requested to facilitate action on a Record of Decision by the Federal Highway Administration.

## FISCAL IMPACT:

Funds for the RTP and RTIP development are included in the FY 05/06 Overall Work Program.

**RESOLUTION No. 06-471-3**

**RESOLUTION OF  
THE SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS  
TO ADOPT THE 2004 REGIONAL TRANSPORTATION PLAN AMENDMENT  
IN ACCORDANCE WITH STATE AND FEDERAL REQUIREMENTS**

**WHEREAS**, the Southern California Association of Governments (SCAG) is a Joint Powers Agency established pursuant to Section 6502 et seq. of the California Government Code;

**WHEREAS**, SCAG is the designated Metropolitan Planning Organization (MPO) pursuant to 23 U.S.C. §134(d) for the counties of Los Angeles, Riverside, San Bernardino, Ventura, Orange, and Imperial, and as such is responsible for developing a Regional Transportation Plan pursuant to 23 U.S.C. §134 et seq., 49 U.S.C. §5303 et seq., and 23 C.F.R. §450.312;

**WHEREAS**, SCAG is the designated Regional Transportation Planning Agency (RTPA) under state law, and as such is responsible for preparing, adopting, and updating a regional transportation plan pursuant to Government Code Sections 65080 et seq.;

**WHEREAS**, the projects included in the RTP must be based on the continuing, cooperative, and comprehensive transportation planning process mandated by 23 U.S.C. §134(c)(3) and 23 C.F.R. §450.312;

**WHEREAS**, pursuant to 23 C.F.R. §450.316(b)(1)(iv), SCAG must provide adequate public notice of public involvement activities and time for public review and comment at key decision points, including approval of plans and transportation improvement programs (in nonattainment areas, classified as serious and above, the comment period shall be at least 30 days for the plan, transportation improvement program and major amendment(s));

**WHEREAS**, Section 130252(a) of the California Public Utilities Code prohibits county transportation commissions from approving any plan proposed for the design, construction, and implementation of public mass transit systems or projects, including federal-aid and state highway projects, which do not conform to the adopted Regional Transportation Plan;

**WHEREAS**, on April 1, 2004, SCAG approved and adopted the 2004 Regional Transportation Plan (RTP);

**WHEREAS**, on June 7, 2004 the federal agencies found that the 2004 RTP conforms to the applicable state implementation plan;

**WHEREAS**, on or about November 30, 2005, the Orange County Transportation Authority (OCTA) requested that SCAG amend the 2004 RTP and 2004 Regional Transportation Improvement Program (RTIP) to replace the planned CenterLine light rail project and Yorba Linda Metrolink Station, which are both Transportation Control Measures (TCMs), with a combination of bus rapid transit, commuter rail, local shuttle, and carpool operational improvement projects, and to revise the scope of the Foothill Transportation Corridor-South/SR-241 toll road project;

**WHEREAS**, specifically, the 2004 RTP and RTIP amendments would reduce the number of lanes in each direction from four lanes to three lanes on the proposed future extension of Foothill Transportation Corridor South/SR-241 from its current terminus at Oso Parkway to Interstate 5 near San Clemente; and would delete the CenterLine light rail project and Yorba Linda Metrolink Station in their entirety from the 2004 RTP and 2004 RTIP and add four substitute TCMs in their place, as follows:

- Bus Rapid Transit: A 28-mile bus rapid transit line connecting the Brea Mall to the Irvine Transportation Center via State College Blvd. and Bristol St.,
- Metrolink Service Expansion: Enhanced service on the Inland Empire-Orange County line and 91 line,
- Irvine Business Center shuttle: CNG-fueled shuttle vehicles connecting John Wayne Airport to the Irvine Business Center, and
- Free 3+ HOV on the 91 Express Lanes: Free access to the SR-91 Express toll lanes will be provided to 3+ carpools, from SR-55 to the Orange County/Riverside County line.

**WHEREAS**, specifically, the 2004 RTP and RTIP amendments on or about December 1, SCAG staff prepared the "Draft 2004 Regional Transportation Plan Amendment and 2004 Regional Transportation Improvement Program Amendment" ("RTP/RTIP Amendments"), including the staff findings, in order to address the project modifications requested by OCTA; and staff presented the Draft RTP/RTIP Amendments at meetings of Transportation and Communications Committee (TCC) and the Energy and Environment Committee (EEC);

**WHEREAS**, on December 1, 2005, TCC approved release for 30-day public review and comment of the Draft RTP/RTIP Amendments and EEC approved release of the conformity determination and Program Environmental Impact Report (PEIR) Addendum for the Draft RTP/RTIP Amendments;

**WHEREAS**, on December 1, 2005, SCAG posted the Notice of Availability of

the Draft 2004 RTP/RTIP Amendments and Public Hearing in major newspapers as well as SCAG's website, and held a public hearing on January 5, 2005 to solicit input from all interested parties; and

**WHEREAS**, SCAG received written comments and provided written responses on the Draft RTP/RTIP Amendments, which are incorporated into the Final RTP/RTIP Amendments;

**WHEREAS**, on January 18, 2005, SCAG presented the Draft RTP/RTIP Amendments for review and discussion to the Regional Transportation Agencies Coalition, which is the forum for carrying out requirements of the Public Utilities Code §130000 et seq. ("AB 1246 process");

**WHEREAS**, amendments to the RTP must be consistent with the December 1999 RTP Guidelines and 2003 Supplement to the RTP Guidelines prepared by the California Transportation Commission;

**WHEREAS**, the 2004 RTP Amendment must be consistent with all other applicable provisions of federal and state law including:

- (1) 23 U.S.C. §134 et seq.;
- (2) The metropolitan planning regulations at 23 C.F.R. Part 450, Subpart C;
- (3) Government Code §65080 et seq.;
- (4) §§174 and 176(c) and (d) of the Federal Clean Air Act [42 U.S.C. §§7504 and 7506(c) and (d)];
- (5) Title VI of the 1964 Civil Rights Act and the Title VI assurance executed by the State pursuant to 23 U.S.C. §324;
- (6) The Department of Transportation's Final Environmental Justice Strategy (60 Fed. Reg. 33896 (June 29, 1995)) enacted pursuant to Executive Order 12898, which seeks to avoid disproportionately high and adverse impacts on minority and low-income populations with respect to human health and the environment; and
- (7) Title II of the 1990 Americans with Disabilities Act (42 U.S.C. §§12101 et seq.) and accompanying regulations at 49 C.F.R. §27, 37, and 38;

**WHEREAS**, pursuant to Section 176(c) of the Federal Clean Air Act (42 U.S.C. §7506(c)), no project may receive Federal funding unless it comes from a Regional Transportation Plan (RTP) which has been found to conform to the applicable State

Implementation Plan;

**WHEREAS**, as required by 23 C.F.R. §450.322(d), in nonattainment and maintenance areas for transportation-related pollutants, SCAG, the FHWA and the FTA must make a conformity determination on any RTP updates or amendments in accordance with the requirements of the Federal Clean Air Act (42 U.S.C. §§7401 et seq.) and the Environmental Protection Agency (EPA) conformity regulations found at 40 C.F.R. Part 51;

**WHEREAS**, replacement of the two TCM projects, the CenterLine and the Yorba Linda Station (the SR-241 has a TCM component that will not be affected by the proposed changes) must follow the substitution protocol specified in the federally approved Air Quality Management Plan/State Implementation Plan (AQMP/SIP);

**WHEREAS**, SCAG has followed the federally approved process for TCM substitution; and compliance with TCM substitution criteria and procedures is fully described in the RTP Amendment, Attachment B, "OCTA TCM Replacement Report;"

**WHEREAS**, with approval of the RTP/RTIP Amendments, all South Coast Air Basin TCM projects in the federally approved conforming 2004 RTP and 2004 RTIP are given funding priority and are on schedule for timely implementation;

**WHEREAS**, both the 2004 RTP and 2004 RTIP remain financially constrained for all fiscal years after the project deletions, additions, and scope changes described in the RTP Amendment;

**WHEREAS**, in accordance with the interagency consultation requirements, 40 C.F.R. 93.105, SCAG consulted with the respective transportation and air quality planning agencies, which involved discussions of the proposed substitution of the Centerline and Yorba Linda Station at meetings of the Transportation Conformity Working Group (which is a forum for implementing the interagency consultation requirements) on three occasions (September 22, 2005, October 25, 2005, and November 22, 2005), and the draft amendments to the 2004 RTP and RTIP underwent the required public review and comment process;

**WHEREAS**, SCAG is required to comply with the California Environmental Quality Act ("CEQA") [Cal. Pub. Res. Code § 21000 et seq.] in amending the Regional Transportation Plan;

**WHEREAS**, SCAG adopted and certified the PEIR to the 2004 RTP in April 2004;

**WHEREAS**, when an EIR has been certified and the project is modified or otherwise changed after certification, then additional CEQA review may be necessary. The key considerations in determining the need for and appropriate type of additional

CEQA review are outlined in Section 21166 of the Public Resources Code (CEQA) and *CEQA Guidelines* Sections 15162, 15163, and 15164 (Cal. Administrative Code, Title 14, Section 15000 et seq.);

**WHEREAS**, an Addendum may be prepared by the Lead Agency that prepared the original EIR if some changes or additions are necessary, but none of the conditions have occurred requiring preparation of a Subsequent EIR (Section 15164(a));

**WHEREAS**, for the reasons set forth in the Addendum to the 2004 PEIR, SCAG determined that an Addendum to the 2004 PEIR is the appropriate CEQA document because the proposed changes to the 2004 RTP do not meet the conditions of Section 15162(a) for preparation of a Subsequent EIR;

**WHEREAS**, SCAG prepared an Addendum to the 2004 PEIR, which is included in the 2004 RTP Amendment, in order to address the modifications to the 2004 RTP requested by OCTA;

**WHEREAS**, SCAG determined that adoption of the proposed RTP Amendment would not result in either new environmental significant effects or a substantial increase in the severity of previously identified significant effects;

**NOW, THEREFORE BE IT RESOLVED** that:

1. The Southern California Association of Governments finds and adopts as follows:
  - a. The 2004 RTP Amendment complies with all applicable federal and state requirements;
  - b. In developing the 2004 RTP Amendment, SCAG has conducted proactive public involvement and interagency consultation processes, and met with the county transportation commissions and Caltrans pursuant to the AB 1246 process;
  - c. The 2004 RTP Amendment complies with the substitution process specified in the federally approved, applicable Air Quality Management Plan/State Implementation Plan; and
  - d. Upon approval of the RTP Amendment and the RTIP Amendment (pursuant to separate resolution No. 06-471-3), all South Coast Air Basin TCM projects in the federally approved conforming 2004 RTP and 2004 RTIP are given funding priority and are on schedule for timely implementation.
  - e. The 2004 RTP as amended has been found to conform to the applicable State Implementation Plan in accordance with the Clean Air Act and EPA

conformity regulations; and

- f. Proposed changes to the 2004 RTP as expressed in the 2004 RTP Amendment are not substantial changes which would require major revisions to the PEIR. The Addendum to the PEIR for the 2004 RTP fulfills SCAG's requirements for CEQA compliance, thus, no further CEQA document is required.
2. Incorporating all the foregoing recitals and findings, the Regional Council hereby approves and adopts the Final 2004 RTP Amendment, including the staff findings.
3. SCAG's Executive Director or his designee is authorized to transmit the 2004 RTP Amendment and its conformity findings to the Federal Transit Administration and the Federal Highway Administration to make the final conformity determination in accordance with the Federal Clean Air Act and EPA Transportation Conformity Rule at 40 C.F.R Parts 51 and 93.

Approved at a regular meeting of the Regional Council of the Southern California Association of Governments on this 2nd day of February 2006.

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TONI YOUNG  
President, SCAG  
Councilmember, City of Port Hueneme

Attest:

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MARK A. PISANO  
Executive Director

Approved as to Form:

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KAREN TACHIKI  
Chief Counsel

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**RESOLUTION No. 06-471-4**

**RESOLUTION OF  
THE SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS  
TO ADOPT THE FY 2004/05- 2009/10  
REGIONAL TRANSPORTATION IMPROVEMENT PROGRAM AMENDMENT  
IN ACCORDANCE WITH STATE AND FEDERAL REQUIREMENTS**

**WHEREAS**, the Southern California Association of Governments (SCAG) is a Joint Powers Agency established pursuant to Section 6502 et seq. of the California Government Code;

**WHEREAS**, SCAG is the designated Metropolitan Planning Organization (MPO) pursuant to 23 U.S.C. §134(d) for the counties of Los Angeles, Riverside, San Bernardino, Ventura, Orange, and Imperial, and as such is responsible for developing a Regional Transportation Plan (RTP) and the Regional Transportation Improvement Program (RTIP) pursuant to 23 U.S.C. §134 et seq., 49 U.S.C. §5303 et seq., and 23 C.F.R. §450.312;

**WHEREAS**, SCAG is the designated Regional Transportation Planning Agency (RTPA) under state law, and as such is responsible for preparing, adopting, and updating a regional transportation plan and transportation improvement program pursuant to Government Code Sections 65080 and 65082 respectively;

**WHEREAS**, the projects included in the RTP must be based on the continuing, cooperative, and comprehensive transportation planning process mandated by 23 U.S.C. §134(c)(3) and 23 C.F.R. §450.312;

**WHEREAS**, each project in the RTIP must be consistent with the RTP, as required by 23 U.S.C. §134(j)(2)(C) and 23 CFR 450.324(f)(2);

**WHEREAS**, SCAG approved and adopted the Fiscal Year (FY) 2004/05 - 2009/10 Regional Transportation Improvement Program (2004 RTIP) on September 2, 2004;

**WHEREAS**, on October 4, 2004 the federal agencies approved the 2004 RTIP;

**WHEREAS**, the 2004 RTIP is a staged, multiyear, intermodal program of transportation projects which covers six fiscal years and includes a priority list of projects to be carried out in the first three fiscal years (2004/05, 2005/06 and 2006/07) and for informational purposes a prior year of obligated funds;

**WHEREAS**, 42 U.S.C. § 7506(c)(1) requires SCAG's 2004 RTIP Amendment conform to the applicable State Implementation Plan (SIP) developed for the federal non-attainment and maintenance areas;

**WHEREAS**, pursuant to 23 C.F.R. §450.316(b)(1)(iv), SCAG must provide adequate public notice of public involvement activities and time for public review and comment at key decision points, including approval of plans and transportation improvement programs (in nonattainment areas, classified as serious and above, the comment period shall be at least 30 days for the plan, transportation improvement program and major amendment(s));

**WHEREAS**, a public hearing was conducted on January 5, 2006 on the Draft 2004 RTP and RTIP Amendments at the Southern California Association of Governments in Los Angeles County, after notice was provided for such hearings by publication pursuant § 65080.5 of the California Government Code;

**WHEREAS**, on or about November 30, 2005, the Orange County Transportation Authority (OCTA) requested that SCAG amend the 2004 RTP and 2004 Regional Transportation Improvement Program (RTIP) to replace the planned CenterLine light rail project and Yorba Linda Metrolink Station, which are both Transportation Control Measures (TCMs), with a combination of bus rapid transit, commuter rail, local shuttle, and carpool operational improvement projects, and to revise the scope of the Foothill Transportation Corridor-South/SR-241 toll road project;

**WHEREAS**, specifically, the 2004 RTP and RTIP amendments would reduce the number of lanes in each direction from four lanes to three lanes on the proposed future extension of Foothill Transportation Corridor South/SR-241 from its current terminus at Oso Parkway to Interstate 5 near San Clemente; and would delete the CenterLine light rail project and Yorba Linda Metrolink Station in their entirety from the 2004 RTP and 2004 RTIP and add four substitute TCMs in their place, as follows:

- Bus Rapid Transit: A 28-mile bus rapid transit line connecting the Brea Mall to the Irvine Transportation Center via State College Blvd. and Bristol St.,
- Metrolink Service Expansion: Enhanced service on the Inland Empire-Orange County line and 91 line,
- Irvine Business Center shuttle: CNG-fueled shuttle vehicles connecting John Wayne Airport to the Irvine Business Center, and

- Free 3+ HOV on the 91 Express Lanes: Free access to the SR-91 Express toll lanes will be provided to 3+ carpools, from SR-55 to the Orange County/Riverside County line.

**WHEREAS**, on or about December 1, SCAG staff prepared the “Draft 2004 Regional Transportation Plan Amendment and 2004 Regional Transportation Improvement Program Amendment” (“RTP/RTIP Amendments”), including the staff findings, in order to address the project modifications requested by OCTA; and staff presented such amendments at meetings of Transportation and Communications Committee (TCC) and the Energy and Environment Committee (EEC);

**WHEREAS**, on December 1, 2005, TCC approved release for 30-day public review and comment of the Draft RTP/RTIP Amendments and EEC approved release of the conformity determination and Program Environmental Impact Report (PEIR) Addendum for the Draft RTP/ RTIP Amendments;

**WHEREAS**, on December 1, 2005, SCAG posted the Notice of Availability of the Draft RTP/RTIP Amendments and Public Hearing in major newspapers as well as SCAG’s website, and held a public hearing on January 5, 2005 to solicit input from all interested parties;

**WHEREAS**, SCAG received written comments and provided written responses on the Draft RTP/RTIP Amendments, which are incorporated into the Final 2004 RTP/RTIP Amendments;

**WHEREAS**, on January 18, 2005, SCAG presented the Draft RTP/RTIP Amendments for review and discussion to the Regional Transportation Agencies Coalition, which is the forum for carrying out requirements of the Public Utilities Code §130000 et seq. (“AB 1246 process”);

**WHEREAS**, replacement of the two TCM projects, the CenterLine and the Yorba Linda Station (the SR-241 has a TCM component that will not be affected by the proposed changes) must follow the substitution protocol specified in the federally approved Air Quality Management Plan/State Implementation Plan (AQMP/SIP);

**WHEREAS**, SCAG has followed the federally approved process for TCM substitution; and compliance with TCM substitution criteria and procedures is fully described in the RTP/RTIP Amendment, Attachment B, “OCTA TCM Replacement Report;”

**WHEREAS**, OCTA will fully fund the \$246 million package of replacement

projects by reallocating revenues currently programmed for the Centerline project;

**WHEREAS**, with approval of the RTP/RTIP Amendments, all South Coast Air Basin TCM projects in the federally approved conforming 2004 RTP and 2004 RTIP are given funding priority and are on schedule for timely implementation;

**WHEREAS**, both the 2004 RTP and 2004 RTIP remain financially constrained for all fiscal years after the project deletions, additions, and scope changes described in the RTP/RTIP Amendments;

**WHEREAS**, in accordance with the interagency consultation requirements, 40 C.F.R. 93.105, SCAG consulted with the respective transportation and air quality planning agencies, which involved discussions of the proposed substitution of the Centerline and Yorba Linda Station at meetings of the Transportation Conformity Working Group (which is a forum for implementing the interagency consultation requirements) on three occasions (September 22, 2005, October 25, 2005, and November 22, 2005), and the draft amendments to the 2004 RTP and RTIP underwent the required public review and comment process;

**WHEREAS**, the 2004 RTIP Amendment was found to conform to the applicable SIP for the South Coast Air Basin;

**WHEREAS**, the 2004 RTIP Amendment is consistent with emissions budgets established in the applicable SIP, as required by Federal regulations at 40 CFR Parts 51 and 93;

**WHEREAS**, the 2004 RTIP Amendment must be consistent with all other applicable provisions of federal and state law including:

- (1) 23 U.S.C. §134 et seq.;
- (2) The metropolitan planning regulations at 23 C.F.R. Part 450, Subpart C;
- (3) Government Code §65080 et seq.;
- (4) §§174 and 176(c) and (d) of the Federal Clean Air Act [42 U.S.C. §§7504 and 7506(c) and (d)];
- (5) Title VI of the 1964 Civil Rights Act and the Title VI assurance executed by the State pursuant to 23 U.S.C. §324;

(6) The Department of Transportation's Final Environmental Justice Strategy (60 Fed. Reg. 33896 (June 29, 1995)) enacted pursuant to Executive Order 12898, which seeks to avoid disproportionately high and adverse impacts on minority and low-income populations with respect to human health and the environment;

(7) 49 C.F.R. Part 26 regarding the participation of disadvantaged business enterprises in FHWA and FTA funded planning projects; and

(8) Title II of the 1990 Americans with Disabilities Act (42 U.S.C. §§12101 et seq.) and accompanying regulations at 49 C.F.R. §27, 37, and 38;

NOW, THEREFORE BE IT RESOLVED that

- (1) Southern California Association of Governments finds as follows:
  - (a) The 2004 RTIP Amendment complies with all applicable federal and state laws and guidelines;
  - (b) In developing the 2004 RTIP Amendment, SCAG has conducted proactive public involvement and interagency consultation processes;
  - (c) The 2004 RTIP Amendment implements and is consistent with the adopted 2004 RTP as amended;
  - (d) The 2004 RTIP Amendment is consistent and conforms with the applicable SIP as required by 42 U.S.C. § 7506(c)(1) and accompanying EPA regulations at 40 CFR § 51 and 93;
  - (e) The 2004 RTIP Amendment complies with the substitution process specified in the federally approved, applicable Air Quality Management Plan/State Implementation Plan; and
  - (f) Upon approval of the RTP Amendment (pursuant to separate resolution No. 06-471-4) and the RTIP Amendment, all South Coast Air Basin TCM projects in

the federally approved conforming 2004 RTP and 2004 RTIP are given funding priority and are on schedule for timely implementation.

- (2) The Regional Council hereby adopts the 2004 RTIP Amendment in the SCAG region, which recognizes the following:
  - (a) The 2004 RTIP Amendment does not preclude any future additional amendments which may become necessary;
  - (b) The 2004 RTIP Amendment constitutes endorsement for the purpose of Executive Order 12372 and 23 U.S.C. § 105;
  - (c) The 2004 RTIP will, upon approval of FHWA and FTA, replace previously endorsed RTIPs; and
  - (d) The Amendment to the 2004 RTIP will become effective upon approval of FHWA and FTA.
- (3) The Regional Council hereby adopts the 2004 RTIP Amendment and its conformity findings for the applicable federal non-attainment and maintenance areas in the SCAG region;
- (4) SCAG's Executive Director or his designee is authorized to transmit the 2004 RTIP Amendment and its conformity findings to the Federal Transit Administration and the Federal Highway Administration to make the final conformity determination in accordance with the Federal Clean Air Act and EPA Transportation Conformity Rule at 40 C.F.R Parts 51 and 93;
- (5) SCAG's Executive Director or his designee is authorized to transmit the 2004 RTIP Amendment to the Governor, the California Transportation Commission, the Federal Transit Administration and the Federal Highway Administration for inclusion in the Federal Transportation Improvement Program; and
- (6) The Regional Council hereby approves and adopts the 2004 RTIP Amendment, including the staff findings, incorporating herein all of the foregoing recitals and findings.

Approved at a regular meeting of the Regional Council of the Southern California Association of Governments on this 2nd day of February 2006.

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TONI YOUNG  
President, SCAG  
Councilmember, City of Port Hueneme

Attest:

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MARK A. PISANO  
Executive Director

Approved as to Form:

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KAREN TACHIKI  
Chief Counsel

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